

EXECUTIVE COUNCIL OF IOWA

MINUTES

AUGUST 1, 2011

The Executive Council met in regular session at 10:08 a.m. Room G09 of the Capitol Building with Governor Terry Branstad presiding. Secretary of State Matt Schultz, Auditor of State David Vaudt, Treasurer of State Michael Fitzgerald and Secretary of Agriculture William Northey were present.

Regular session
August 2, 2011

Moved by Secretary Northey and seconded by Secretary Schultz that the Council approve the minutes of the Executive Council meeting held July 18, 2011.

Minutes
Approved

The vote: Ayes: Governor Branstad
 Secretary Schultz
 Auditor Vaudt
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

Ms. Jennifer Parsons, Department of Public Safety was present to request a new membership in National Association of Women Highway Safety Leaders for one year in the amount of \$25.00.

Approved New
Memberships

Moved by Secretary Schultz and seconded by Treasurer Fitzgerald that the Council approve request.

The vote: Ayes: Governor Branstad
 Secretary Schultz
 Auditor Vaudt
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

Moved by Secretary Schultz and seconded by Auditor Vaudt that the Council approve payment of funds from the Civil Reparations Trust Fund for FY 2012 as follows:

Approved Civil
Reparations
Trust Fund
Disbursement

Iowa Mediation Service	\$27,500.00
Iowa Legal Aid	\$82,500.00

The vote: Ayes: Governor Branstad
 Secretary Schultz
 Auditor Vaudt
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

Marvin Shultz, Department of Human Services, was present to request pursuant to House File 896 Section 1 a Resolutions of Funds in the amount of \$40,000.00 for Dickinson and Benton Counties for the recent disasters in those counties and to transfer the funds without individual Executive Council approval.

Approved
Resolutions of
Funds

Moved by Secretary Northey and seconded by Secretary Schultz that the Executive Council approve the request.

The vote:	Ayes:	Governor Branstad Secretary Schultz Auditor Vaudt Treasurer Fitzgerald Secretary Northey
	Nays:	None

Patrick Hall, Department of Public Defense, Iowa Homeland Security and Emergency Management was present to request the following emergency allocations:

\$ 965,310.00 Presidential Declaration DR-1977
\$2,990,797.00 Presidential Declaration DR-1998.

Moved by Secretary Schultz and seconded by Secretary Northey that the Executive Council approve the request.

The vote:	Ayes:	Governor Branstad Secretary Schultz Auditor Vaudt Treasurer Fitzgerald Secretary Northey
	Nays:	None

Moved by Treasurer Fitzgerald and seconded by Secretary Northey that the Council approves the request for Other Than Federal Funds as listed in the office of the Secretary.

Approved Out-
Of-State Travel

The vote:	Ayes:	Governor Branstad Secretary Schultz Auditor Vaudt Treasurer Fitzgerald Secretary Northey
	Nays:	None

Moved by Secretary Northey and seconded by Treasurer Fitzgerald that the Council approves the travel request changes as listed in the office of the Secretary.

Approved
Travel Request
Changes

The vote: Ayes: Governor Branstad
 Secretary Schultz
 Auditor Vaudt
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

Moved by Secretary Schultz and seconded by Auditor Vaudt that the Council approve the following litigation expense fund request:

Approved
Litigation
Expense Fund

Request from the Attorney Generals' office on behalf of the Department of Revenue to expend \$37,000.00 from the Litigation Expense Fund for first quarter of the 2012 fiscal year.

The vote: Ayes: Governor Branstad
 Secretary Schultz
 Auditor Vaudt
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

Moved by Auditor Vaudt and seconded by Treasurer Fitzgerald that the Council approve the request from the Department of Justice, Attorney General's office as follows:

Approved
Outside
Counsel

Appointment of outside counsel pursuant to Iowa Code section 13.3(1) in Vicki Bouchard v. Second Injury Fund, a workers' compensation case filed by a state employee.

Firm: Patterson Law Firm, L.L.P.
Attorney: Ryan Clark
 505 5th Avenue, Suite 729
 Des Moines, IA 50309-2390
Rate: \$80.00 per hour

The vote: Ayes: Governor Branstad
 Secretary Schultz
 Auditor Vaudt
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

Moved by Secretary Northey and seconded by Treasurer Fitzgerald that the Council approve requests for emergency allocations as follows:

Emergency
Allocations

- A. Department of Public Safety, Iowa State Patrol request for an emergency allocation in the amount of \$6,317.62, subject to audit of actual invoices. On June 9, 2011 Department of Public Safety, Iowa State Patrol had hail damage to vehicles #559, #696, #392, #339 and #284. Request is to cover repair costs.
- B. Department of Public Safety, Iowa State Patrol request for an emergency allocation in the amount of \$3,094.87, subject to audit of actual invoices. On June 20, 2011 Department of Public Safety, Iowa State Patrol had hail damage to vehicles #235, #681 and #41. Request is to cover repair costs.
- C. Department of Corrections, Iowa State Penitentiary Fort Madison request for an emergency allocation in the amount of \$10,249.98, subject to audit of actual invoices. On June 9, 2011 Iowa State Penitentiary, Fort Madison sustained lightning damage to the welding shop roof. This request is to cover repair costs.

The vote: Ayes: Governor Branstad
 Secretary Schultz
 Auditor Vaudt
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

Moved by Treasurer Fitzgerald and seconded by Secretary Schultz that the Council approve the following cost item requests:

Approved Cost
Items

- A. Wandro & McCarthy, P.C.\$12,250.00
 2501 Grand Avenue, Suite B
 Des Moines, IA 50312
 Unclaimed Property Probate Matters
- B. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$58.00
 The Davis Brown Tower
 215 10th Street, Suite 1300
 Des Moines, IA 50309-3993
Legal Services to state agencies on issues related to the visa status of prospective state employees
- C. Dorsey & Whitney, LLP\$4,022.16
 P.O. Box 1680
 Minneapolis MN 55480-1680
Community Development Div. of the Dept. of Economic Development

- D. McDowell, Rice, Smith & Buchanan.....\$17,732.58
605 West 47th Street, Suite 350
Kansas City, MO 64112
Tobacco Settlement Authority
- E. McDowell, Rice, Smith & Buchanan.....\$36,323.03
605 West 47th Street, Suite 350
Kansas City, MO 64112
Tobacco Settlement Authority
- F. Patterson Law Firm L.L.P..... \$986.75
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Scherrer v. University of Iowa Hospitals and Clinics; State of Iowa and
Second Injury Fund
- G. Patterson Law Firm L.L.P..... \$136.50
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Maureen Kimmerle v. State of Iowa and Second Injury Fund
- H. Patterson Law Firm L.L.P..... \$40.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Heidi Pendleton v. Ft. Dodge Correctional Facility, State of Iowa and
Second Injury Fund
- I. Patterson Law Firm L.L.P..... \$344.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Michele Dougherty v. Iowa State University, State of Iowa and Second
Injury Fund
- J. Patterson Law Firm L.L.P..... \$234.50
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
David Ozolins v. University of Iowa and Second Injury Fund of Iowa

- K. Shuttleworth and Ingersoll, P.L.C..... \$3,326.25
 115 3rd Street South East
 Suite 500
 Cedar Rapids, IA 52401
Mills v. Iowa Board of Regents et al., an employment termination case
- L. Nyemaster, Goode, West, Hansell & O'Brien, P.C.....\$6,381.25
 700 Walnut Street
 Suite 1600
 Des Moines, IA 50309
Collections of Accounts in Court
- M. Nyemaster, Goode, West Hansell & O'Brien, P.C.\$30,658.97
 700 Walnut, Suite 1600
 Des Moines, IA 50309
Central Iowa Construction Trades Council et al. v. Branstad et al, No. 4:11-cv-202, a suit in federal court challenging Executive Order no. 69.
- N. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$639.60
 The Davis Brown Tower
 215 10th Street, Suite 1300
 Des Moines, IA 50309-3993
Legal Services to state agencies on issues related to the visa status of prospective state employees
- O. Coppola, McConville, Coppola, Hockenberg & Scalise, P.C.....\$14,702.75
 2100 Westown Parkway, Suite 210
 West Des Moines, IA 50265-1539
Campaign Contributions from Fort Dodge Gambling Interests to Governor Culver
- P. Simmons Perrine Moyer Bergman PLC.....\$36,778.84
 115 Third Street SE, Suite 1200
 Cedar Rapids, IA 52402
Tobacco Settlement Authority

The vote:	Ayes:	Governor Branstad Secretary Schultz Auditor Vaudt Treasurer Fitzgerald Secretary Northey
	Nays:	None

Moved by a Auditor Vaudt and seconded by Secretary Northey that the Council approve the following renewal memberships:

Approved
Renewal
Memberships

- A. Administrative Services in National Association of State Purchasing Officers in the amount of \$1,200.00 for July 15, 2011 - July 15, 2012.
- B. Auditor in National Association of State Auditors, Comptrollers and Treasurers in the amount of \$3,500.00 for July 1, 2011 - June 30, 2012.
- C. Blind in Council of State Administrators of Vocational Rehabilitation (CSAVR) in the amount of \$ 6,181.00 for July 1, 2011 - June 30, 2012.
- D. Commerce - Prof. Lic. in National Council of Architectural Registration Boards (NCARB) National in the amount of \$6,000.00 for July 1, 2011 - June 30, 2012.
- E. Commerce - Prof. Lic. in National Council of Architectural Registration Boards (NCARB) Regional in the amount of \$4,500.00 for July 1, 2011 - June 30, 2012.
- F. Commerce -Utilities in National Association of State Relay Administrators in the amount of \$225.00 for July 1, 2011 - June 30, 2012.
- G. Commerce -Utilities in Telecommunications Equipment Distribution Program Association in the amount of \$250.00 for July 1, 2011 - June 30, 2012.
- H. Economic Development in Directors of Volunteers in Agencies (DOVIA) in the amount of \$60.00 for July 1, 2011 - June 30, 2012.
- I. Economic Development in Food Export Association of the Midwest in the amount of \$10,000.00 for July 1, 2011 - June 30, 2012.
- J. Economic Development in State International Development Organization (SIDO) in the amount of \$2,200.00 for July 1, 2011 - June 30, 2012.
- K. Education in Education Commission of the States - Interstate Compact for Education in the amount of \$67,700.00 for July 1, 2011 - June 30, 2012.
- L. Emergency Management in National Assn. of State 911 Administrators (NASNA) in the amount of \$100.00 for July 1, 2011 - June 30, 2012.
- M. Emergency Management in National Emergency Management Association in the amount of \$3,200.00 for July 1, 2011 - June 30, 2012.

- N. Health in Association of State & Territorial Directors of Nursing (ASTDN) in the amount of \$400.00 for July 1, 2011 - June 30, 2012.
- O. Iowa Finance Authority in Iowa League of Cities in the amount of \$260.00 for July 2011 - July 2012. (Previous amount was \$260.00.)
- P. Iowa Public Television in Association of Public Television Stations (APTS) in the amount of \$41,150.31 for July 1, 2011 - June 30, 2012.
- Q. Iowa Public Television in Iowa Association of Independent Colleges and Universities - Iowa Coordinating Council in the amount of \$100.00 for July 1, 2011 - June 30, 2012.
- R. Iowa Public Television in Public Television Programmers Association (PTPA) in the amount of \$452.00 for July 1, 201 - June 30, 2012.
- S. Natural Resources in Toxics in Packaging Clearinghouse (TPCH) in the amount of \$3,000.00 for July 1, 2011 - June 30, 2012.
- T. Natural Resources in Association of State Dam Safety Officials in the amount of \$491.00 for October 1, 2011 - September 30, 2012.
- U. Public Safety in Governors Highway Safety Association in the amount of \$7,385.00 for July 1, 2011 - June 30, 2012.
- V. Treasurer of State in National Association of State Auditors, Comptrollers and Treasurers in the amount of \$3,500.00 for July 1, 2011 - June 30, 2012.
- W. Vocational Rehabilitation in Council of State Administrators of Vocational Rehabilitation in the amount of \$12,537.00 for July 1, 2011 - June 30, 2012.

The vote:	Ayes:	Governor Branstad Secretary Schultz Auditor Vaudt Treasurer Fitzgerald Secretary Northey
	Nays:	None

Moved by Auditor Vaudt and seconded by Secretary Northey that the Council approve the request from Mr. Kenneth M. Quinn, Ambassador (ret.) President of The World Food Prize to serve wine at The World Food Prize® Ceremony/Dinner at the Iowa State Capitol on October 13, 2011.


Approved The
World Food
Prize® Request
Senate File 478
Section 101

The vote:	Ayes:	Governor Branstad Secretary Schultz Auditor Vaudt Treasurer Fitzgerald Secretary Northey
	Nays:	None

The meeting was adjourned at 10:30 a.m.

Meeting
adjourned

Respectfully submitted,


Georganna Madsen
Executive Secretary